

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Saiko HOSOKAWA et al.

Serial No. NEW

: **Attn: Application Branch**

Filed December 21, 1999

: **Attorney Docket No.**
00177/522457 KH-DIV

**HUMAN MONOCLONAL ANTIBODY
SPECIFICALLY BINDING TO SURFACE
ANTIGEN OF CANCER CELL MEMBRANE
(this is a divisional application of Serial No.
08/450,363, filed May 25, 1999, now pending,
which is a divisional application of Serial No.
08/360,125, filed December 20, 1994, now
patented as U.S. Patent 5,767,246, which is a
Continuation Application of Serial No.
07/905,534, filed June 29, 1992, now
abandoned.)**

[Examiner R. Schwadron]

[Group Art Unit 1644]

jc678 U.S. PTO
09/467903
12/21/99


INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents

Washington, DC 20231

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of (X) the references listed on the attached Form PTO-1449 and/or () the additional information identified below in paragraph 4. A legible copy of each reference listed on the Form PTO-1449 is enclosed, except a copy is not provided for each reference previously cited by or submitted to the Patent Office in prior parent application Serial No. 08/450,363.

1. This Information Disclosure Statement is submitted:

- a. (X) within 3 months of the filing date of the above-identified application, or
() within 3 months of entry into National stage prosecution of an International application, or () before the mailing date of the first Office Action on the merits, and thus:

(X) no certification and/or fee is required.

b. () after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus:

() the certification of paragraph 2 below is provided,
or
() a fee of \$240.00 is enclosed.

c. () after the mailing date of a final Office Action or a Notice of Allowance and prior to payment of the issue fee, and thus:

() the certification of paragraph 2 below is provided,
and
() the Petition of paragraph 3 below is provided and \$130.00 fee therefor is enclosed.

2. It is hereby certified

() that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or

() that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. () Petition under 37 CFR 1.97 for consideration of this Information Disclosure Statement is hereby made.

4. () Consideration of the following additional information (including any co-pending or abandoned U.S. application, prior uses and/or sales, etc.) is requested:

5. () For each non-English language reference listed on the attached Form PTO-1449:

() reference is made to an English language translation or abstract submitted herewith, and/or

() reference is made to a foreign patent office search report (in the English language) submitted herewith, and/or

- reference is made to an English language translation of a foreign patent office search report submitted herewith, and/or
- reference is made to the concise explanation contained in the specification of the present application at page(s) , and/or
- reference is made to the concise explanation set forth below:

6. (X) Applicant also offers the following comments for the Examiner's consideration:

Reference No. 16 (BD) discloses human antibody obtained from hybridoma between mouse myeloma cell and lymph node cell derived from cancer patient.

Reference Nos. 17 (BE) and 18 (BF) disclose preparation of cancer-associated antibodies.

Reference Nos. 19-23 (BG-BJ and CA) disclose acquisition of a gene encoding human antibody and DNA sequence of the gene.

Reference No. 24 (CB) teaches that the structure of hypervariable region determines specificity and affinity of the antibody.

Reference No. 25 (CC) teaches that the structure of hypervariable region determines specificity and affinity of the antibody like Reference No. 24 (CB).

7. () Also enclosed is a copy of the European Search Report citing these references.

Respectfully submitted,

Saiko HOSOKAWA et al.

By _____

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